

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

Public Servants – Revenue (Endowments) Department - Allegation of Corruption against Sri P.Sri Rama Krishna Rao, former Inspector, Endowments Department, Vijayawada, Krishna District – Prosecution orders issued – Judgement pronounced – Acquitted – Further action dropped – Treating the suspension period from 03.02.1995 to 31.05.1998 as “NOT ON DUTY” – Orders - Issued.

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REVENUE (VIGILANCE-IV-3) DEPARTMENT

G.O.Rt.No. 1038

Dated:20.08.2011.

Read the following:-

- 1) From the C.E.D., Lr.Rc.No.V1/16502/2005, dt.28.04.2005.
- 2) G.O.Ms.No.395, Revenue (Endts.I) Department, dt.21.05.1996.
- 3) Judgment dt.20.10.2004 in C.C.No.8/96 of Spl. Judge for SPE & A.C.B. Cases, Vijayawada.
- 4) G.O.Ms.No.2102, Revenue (Vig.IV) Department, dt.01.12.2005.
- 5) From Sri P.Sri Rama Krishna Rao, former Inspector, Endowments Department, Vijayawada, dt.23.03.2005.
- 6) Government Memo.No.20083/Vig.IV.1/2005-3, dt.16.09.2006.
- 7) Orders of Hon'ble A.P.A.T., dt.02.09.2009 in O.A. No.7326/2006.
- 8) Government Memo.No.57872/Vig.IV(3)/2006-4, dt.23.02.2010.
- 9) Explanation of Sri P.Sri Rama Krishna Rao, Inspector (Retired), Endowments Department, Vijayawada, dt.14.03.2010.

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ORDER:

In the reference 1st read above, the Commissioner, Endowments Department has informed that it has been reported by the Competent Investigating Agency that Sri P.Sri Rama Krishna Rao, former Inspector, Endowments Department, Vijayawada, Krishna District, was trapped on 12.01.1995 by the Anti Corruption Bureau, when he demanded and accepted a bribe of Rs.500/- from the complainant and involved himself in a case of moral turpitude.

2. In the reference 2nd read above, the Government have issued prosecution orders to charge sheet, Sri P.Sri Rama Krishna Rao, former Endowments Inspector, Office of the Assistant Commissioner of Endowments Department, Vijayawada for the allegations of demand and acceptance of bribe.

3. In the reference 3rd read above, the Special Judge for SPE & Anti-Corruption Bureau Cases, Vijayawada has pronounced the Judgement stating that Sri P.Sri Rama Krishna Rao, Inspector, Endowments Department was not found guilty for the offences under Section 7 and 13 (2) read with 13 (1) (d) of Prevention of Corruption Act, 1988 and acquitted the Accused Officer Under Section 248 (1) Cr.P.C. In the reference 4th read above, the Government after examination of the matter have dropped further action against Sri P.Sri Rama Krishna Rao, former Endowments Inspector and now retired, Office of the Assistant Commissioner of Endowments Department, Vijayawada.

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4. In the reference 5th read above, Sri P.Sri Rama Krishna Rao, former Endowments Inspector and now retired, Office of the Assistant Commissioner of Endowments Department, Vijayawada, Krishna District has requested for regularization of suspension period with effect from 03.02.1995 to 31.05.1998 as duty period as he was acquitted by Anti-Corruption Bureau Court in C.C.No.8/96. In the reference 6th read above, the Government have examined his request and rejected the same as the individual involved himself in a case of moral turpitude and the period of suspension has been treated as "not on duty". He was also informed that the suspension period may be converted into leave of any kind due and admissible if he so desires under F.R. 54-B(7).

5. Aggrieved by the orders of the Government, Sri P.Sri Rama Krishna Rao filed O.A.No.7326/2006 before the Hon'ble Andhra Pradesh Administrative Tribunal, Hyderabad. In the reference 7th read above, the Hon'ble Andhra Pradesh Administrative Tribunal in its order dt.02.09.2009 has set aside the Government Memo dt.16.09.2006 and directed the respondents to pass fresh orders regarding the treatment of suspension period duly giving opportunity to the applicant to make his representation.

6. Accordingly, in the reference 8th read above, the Government have given an opportunity to Sri P.Sri Rama Krishna Rao, Inspector (Retired), Endowments Department, Vijayawada as to why his suspension period from 3.02.1995 to 31.05.1998 should not be treated as "Not on duty" as he involved himself in a case of moral turpitude and directed to submit his explanation within 30 days from the date of receipt of the show cause notice. Sri P.Sri Rama Krishna Rao, Inspector (Retired), Endowments Department, Vijayawada has submitted his explanation in the reference 9th read above, requesting that he was not involved in a case of moral turpitude and the Police unnecessarily foisted a case against him which was ended in acquittal; that at any point of time either before or after the Criminal case or even after acquittal of Criminal case, no departmental enquiry was initiated against him; he was suspended pending Criminal case No.8/96 and reinstated by Government and he was even given a promotion as Superintendent on 10.11.1999 and retired on 31.12.2001 without any charges; the Government have also dropped further action against him in view of his acquittal. He has therefore requested the Government to treat the period of suspension from 03.02.1995 to 31.05.1998 "as duty".

7. The Government after detailed examination of the explanation hereby treat the suspension period of Sri P.Sri Rama Krishna Rao, formerly Endowments Inspector, (now retired) from 03.02.1995 to 31.05.1998 as "Not on Duty", since the individual himself is involved in a case of moral turpitude. He is not eligible for back wages in terms of G.O.Ms.No.214, Finance (FR) Department, dt.22.12.1997. The suspension cannot be treated as unjustified in terms of F.R.54-B (5) read with G.O.Ms.No.30, Finance (FR.II) Department, dt.15.02.2007.

8. The Commissioner, Endowments Department, Andhra Pradesh, Hyderabad shall take necessary action accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

Dr. K.V. RAMANA CHARY
PRINCIPAL SECRETARY TO GOVERNMENT

To
Sri P.Sri Rama Krishna Rao,
Endowments Inspector (Retired),
O/o Assistant Commissioner of Endowments Department, Vijayawada,
Krishna District, {through the Commissioner, Endowments Department, A.P., Hyderabad}.

The Commissioner, Endowments Department, A.P., Hyderabad,
(with a request to serve the copy to the individual and send the served copy to Government)

Copy to:

The Director General,
Anti-Corruption Bureau, Hyderabad.

The Secretary to Vigilance Commission,
A.P. Vigilance Commission, A.P. Secretariat, Hyderabad.

Sri S.Gangadhar Reddy,
Government Pleader for Revenue (Services),
Hon'ble A.P. Administrative Tribunal, Hyderabad.

The O.S.D.to Minister (IT&C and Endts).
The P.S to Prl. Secretary to Endowments.
S.c./ S.f.

// FORWARDED :: BY ORDER //

SECTION OFFICER